

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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**ANTHONY JACINO, and GLASS
STAR AMERICA, INC.,**

Plaintiffs,

v.

**ILLINOIS TOOL WORKS INC.,
ITW GLOBAL BRANDS, ITW
POLYMERS & FLUIDS, and
PERMATEX INC.,**

Defendants.

Case No. 16-CV-01704 (BMC)

**ITW’S NOTICE OF MOTION FOR
ATTORNEYS’ FEES RE SUMMARY
JUDGMENT**

Date: December 1, 2017
Time: 1:30 p.m.
Location: Courtroom 8D South

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ILLINOIS TOOL WORKS INC.,

Counterclaimant,

v.

GLASS STAR AMERICA, INC.,

Counterdefendant.

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TO: P. Betty Tufariello
P.B. Tufariello, P.C.
25 Little Harbor Road
Mount Sinai, NY 11766

PLEASE TAKE NOTICE that Defendants Illinois Tool Works Inc., ITW Global Brands, ITW Polymers & Fluids, and Permatex, Inc. (collectively “ITW”), by and through their undersigned counsel, hereby move before the United States District Court for the Eastern District of New York, for an award of attorneys’ fees in favor of ITW and against Plaintiffs and Plaintiffs’ counsel for multiplying and extending the proceedings by refusing to dismiss

unreasonable, unsupported, and/or preempted claims and issues. This Court possesses the inherent power to award attorneys' fees in ITW's favor based on this misconduct.

PLEASE TAKE FURTHER NOTICE that, in support of its motion, ITW will rely upon this notice of motion, the accompanying memorandum of law, and the accompanying declaration of Brian G. Arnold and the exhibit thereto.

Dated: October 20, 2017

THOMPSON COBURN LLP

BY: /s/ Brian G. Arnold

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ILLINOIS TOOL WORKS INC., ITW
GLOBAL BRANDS, ITW POLYMERS &
FLUIDS, and PERMATEX INC. and
Counterclaimant ILLINOIS TOOL WORKS
INC.

CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2017, I served the foregoing ITW'S NOTICE OF MOTION FOR ATTORNEYS' FEES RE SUMMARY JUDGMENT with the Clerk of the Court to be served via operation of the Court's electronic filing system on all parties of record, including Plaintiffs' counsel listed below. Additionally, a courtesy copy of the foregoing was mailed contemporaneously to the Court.

Panagiota Betty Tufariello
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25 Little Harbor Road
Mount Sinai, NY 11766
Email: Pbtufariello@intellectulaw.com

/s/ Brian G. Arnold

Brian G. Arnold